

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JOHN ROBERT MCGHEE,  
#12770-003

Petitioner,

vs.

UNITED STATES OF AMERICA,

Defendant.

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CRIMINAL NO. 12-0215-WS-B  
CIVIL ACTION NO. 14-226-WS-B

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that McGhee's Motion To Vacate, Set Aside, Or Correct Sentence under § 2255 (Doc. 61) be **DENIED** and that McGhee is not entitled to the issuance of a certificate of appealability or to proceed *in forma pauperis* on appeal.

**DONE** this 22nd day of February, 2017.

s/WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE